

08-22-03

CPA/3702

PTO/SB/29 (06-03)

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# **CONTINUED PROSECUTION APPLICATION (CPA)** **REQUEST TRANSMITTAL**

AUG 20 2003

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

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Address to:

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 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attorney Docket No.  
of Prior Application

ACSC 59868 (0848RE)

First Named Inventor

Celso S. J. Bagaoisan

Examiner Name

Sharon E. Kennedy

Art Unit

3762

Express Mail Label No.

EV 130091175 US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d)  
 (continued prosecution application (CPA)) of prior application number 08/843,711  
 filed on 04/16/1997, entitled Intravascular Catheter With Replaceable Shaft Section

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## **NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.52(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
Under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).  
a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☒ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed: 01/25/2003 REIZUMES 00000025 06843711  
a. ☐ PTO-1449 01 FC:1006 750.00 0P  
b. ☐ Copies of IDS Citations 02 FC:1202 54.00 0P  
03 FC:1301 420.00 0P

Page 1 of 2

This collection of information is required by 37 CFR 1.53(d). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 24 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop CPA, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))	23	-20* =	3	x \$ 18 =	\$ 54.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8	-3** =	5	x \$ 84 =	\$420.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) <input type="checkbox"/>				+ \$ 0 =	\$0.00
				BASIC FEE (37 CFR 1.16)	\$750.00
Total of above Calculations =					\$1,224.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27). <input type="checkbox"/>					\$0.00
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					TOTAL = \$1,224.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Director is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-2425:
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 1634.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Request for Extension of Time (2 Mos.)

**NOTE:**

The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**


Customer

OR ☒

New correspondence address below

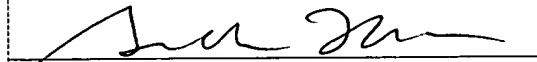
Name	Gunter O. Hanke				
	FUWIDER PATTON LEE & UTECHT, LLP				
Address	Howard Hughes Center				
	6060 Center Drive, Tenth Floor				
City	Los Angeles	State	CA	Zip Code	90045
Country	US	Telephone	(310) 824-5555	Fax	(310) 824-9696

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Gunter O. Hanke
Signature	
Registration No. (Attorney/Agent)	32,989
Date	August 20, 2003

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 20, 2003.

  
Gunther O. Hanke, Reg. No. 32,989



24/D  
B. Webb  
9/9/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. 08/843,711  
Applicant Celso S. J. Bagaoisan et al.  
Filed April 16, 1997  
Art Unit 3762  
Examiner Sharon E. Kennedy  
  
Docket No.: ACSC 59868 (0848RE)  
Customer No. 24201

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PRELIMINARY AMENDMENT

Mail Stop CPA  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is responsive to the final Office action of April 18, 2003, the response for which is due July 18, 2003. Please amend and reconsider the above-referenced application. This amendment is being filed concurrently with a Continued Prosecution Application (CPA) under 37 C.F.R. § 1.53(d).